

A bill for an act

relating to education; repealing or modifying certain mandates; amending Minnesota Statutes 2008, sections 120A.41; 124D.121; 124D.122; 124D.127; repealing Minnesota Statutes 2008, section 123B.05; Minnesota Statutes 2009 Supplement, section 120A.40.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2008, section 120A.41, is amended to read:

**120A.41 LENGTH OF SCHOOL YEAR; DAYS OF INSTRUCTION.**

A school board's annual school calendar must include at least the number of days of student instruction the board formally adopted as its school calendar at the beginning of the 1996-1997 school year. Upon notice to the commissioner, a school board may convert the number of days approved for the 1996-1997 school year to a number of hours of instruction, and shall be required thereafter to provide that same number of hours of student instruction rather than a specified number of days of instruction.

Sec. 2. Minnesota Statutes 2008, section 124D.121, is amended to read:

**124D.121 DEFINITION OF FLEXIBLE LEARNING YEAR PROGRAM.**

"Flexible learning year program" means any district plan ~~approved by the commissioner~~ that utilizes buildings and facilities during the entire year or that provides forms of optional scheduling of pupils and personnel during the learning year in elementary and secondary schools or residential facilities for children with a disability.

Sec. 3. Minnesota Statutes 2008, section 124D.122, is amended to read:

**124D.122 ESTABLISHMENT OF FLEXIBLE LEARNING YEAR PROGRAM.**

The board of any district, ~~with the approval of~~ after notice to the commissioner, may establish and operate a flexible learning year program in one or more of the day or residential facilities for children with a disability within the district.

Sec. 4. Minnesota Statutes 2008, section 124D.127, is amended to read:

**124D.127 TERMINATION OF FLEXIBLE LEARNING YEAR PROGRAM.**

The board of any district, ~~with the approval of~~ after notice to the commissioner of education, may terminate a flexible learning year program in one or more of the day or residential facilities for children with a disability within the district. This section shall not be construed to permit an exception to section 120A.22, 127A.41, subdivision 7, or 127A.43.

Sec. 5. **REPEALER.**

(a) Minnesota Statutes 2008, section 123B.05, is repealed.

(b) Minnesota Statutes 2009 Supplement, section 120A.40, is repealed.